

### **AMENDMENTS TO THE DRAWINGS**

The sheets of drawings attached in the Appendix include changes to Figures 10-16. These sheets replace the original sheets filed with the application. The corrected Figures 10-16 are being submitted, as requested in the Office Action dated May 18, 2006. No new matter is added.

## **REMARKS**

In the Office Action dated May 18, 2006, claims 65, 66, 69, 70, 72-83, 87-91, 94-130, and 140 are pending with claims 122-130 being withdrawn from consideration. Claims 65, 73-83, 87, 89-91, 96 and 140 are rejected and claims 66, 69, 70, 72, 88, and 97-121 are objected to. Claims 65, 66, and 94, have been amended. No new matter has been added. Reexamination and reconsideration of the claims as requested is respectfully requested.

Applicants thank the Examiner for favorable consideration and allowance of claims 94 and 95.

Applicants are grateful for the Examiner's acknowledgement of the Information Disclosure Statement filed on April 28, 2006.

Applicants note that the drawings were objected to under 37 C.F.R. §1.83(a) as failing to show every feature of the invention as specified in the claims. New drawings are being submitted to overcome the objection.

The undercut which the examiner has referred to is a broad concept and reference to the drawings is only for the purposes of satisfying 37 C.F.R. §1.83(a) and identifying a preferred embodiment. With that proviso, the examiner should look at figures 5 and 6 where the spaces between the probe arms 14 and 18 are set below (i.e. undercut) the level of the probe arms. This allows for guard electrodes which will not accidentally bridge to the probe arms, especially if they are applied by deposition techniques. The "unidirectional probe arms refers to the tips which can be in any direction and are shown in various directions in Figures 14-16. The third multiplicity of probe arms can be ascertained in figures 5 and 6 by counting 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> multiplicities as individual and or pairs of arms.

In paragraph 8 on page 6 of the Office Action, claims 65, 73-76, 82, 83, 91, 96, and 140 are rejected under 35 U.S.C. §102 (b) as being anticipated by Burr, et al. (US Patent No. 5,565,788) The Applicants respectfully traverse this rejection, but have amended the application to overcome the objections.

In paragraph 11 on page 11 of the Office Action, claims 77-81, 87, and 89-90 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Burr, et al. as applied to

claim 65, and further in view of obvious results obtained by routine experimentation applied to claim 65. The Applicants respectfully traverse this rejection, but have amended the application to overcome the objections.

The cited art is easily distinguished by the claims presently pending. Claims 66, 96 97 and their dependencies have been amended to more clearly point out that the guarding electrodes do not extend as far as the probe arms. This frees the probe arms to be contact a test sample.

The cited reference to Burr, et al. really does not have guarding electrodes, but rather 3 separate test electrodes. If they were guarding electrodes they could not extend up to the tip of the main electrode 70. In fact, they were not intended as guarding electrodes. Thus they teach away from the concept of guarding electrodes which do not occlude the probe arms at their distal ends.

With respect to claim 66, this claim is the combination of claims 65 and 66, with unimportant structural limitations removed. It is very similar to claim 66 which was considered allowable. It contains the recitation to the undercut relationship between the probes arms and guarding electrodes. This is clearly not found in the prior art.

### **CONCLUSION**

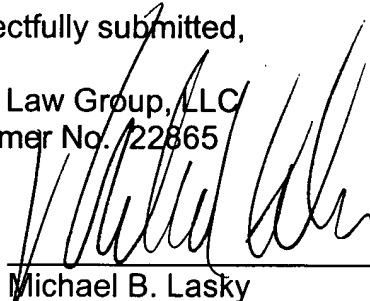
In view of the amendments and reasons provided above, it is believed that all pending claims are in condition for allowance. The amendments clarify the patentable invention without adding new subject matter. Applicants respectfully request favorable reconsideration and early allowance of all pending claims.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicants' attorney of record, Michael B. Lasky at (952) 253-4106.

Respectfully submitted,

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## APPENDIX